

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH SROUR,

Plaintiff,

Case No.: 22 Civ. 3

-against-

**DECLARATION OF  
JOSEPH SROUR**

NEW YORK CITY, New York,  
KEECHANT SEWELL, in her Official  
Capacity as NYPD Police Commissioner,

Defendants.  
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JOSEPH SROUR, declares pursuant to 28 U.S.C. §1746 that:

1. I am the plaintiff in the above-captioned matter. I am over the age of 18 and a resident of Brooklyn, New York. I submit this Declaration in support of Plaintiffs' Motion for Summary Judgment. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.
2. I am not prohibited from possessing, purchasing, receiving, or transferring firearms under state or federal law. I have never been convicted of a crime or any violation of the New York State Penal Law and am a law-abiding member of the community. I am a business owner and provide employment to hundreds of individuals. A true and accurate copy of my fingerprint-based criminal history report from the New York State Division of Criminal Justice Services is annexed hereto as Exhibit 1.
3. In 2018, I applied to the NYPD License Division for a permit to possess rifles and shotguns in my home for self-protection ("Rifle/Shotgun Permit"). My application was denied. A true and accurate copy of the Notice of Disapproval dated June 13, 2019 is annexed hereto as Exhibit 2.

4. In 2019, I applied to the NYPD License Division for a permit to possess handguns in my home for self-protection (“Handgun License”). My application was also denied. A true and accurate copy of the Notice of Disapproval dated May 30, 2019 is annexed hereto as Exhibit 3.

5. I timely filed an internal appeal of the denial of each application with the NYPD License Division, Appeals Unit (the “License Division”).

6. By Notice of Disapproval After Appeal dated November 7, 2019, I was notified that both of my appeals were denied. A true and accurate copy of the Notice of Disapproval After Appeal dated November 7, 2019 is annexed hereto as Exhibit 4.

7. During the licensing process, I was fingerprinted and subject to a thorough background investigation. The resulting background check revealed that I have no criminal convictions.

8. I have 2 prior arrests – from 1995 and 1996 – over 25 years ago. Neither arrest resulted in a conviction and each charge was dismissed and sealed. I was informed by my criminal attorney that the dismissal of the charge was as if it had never happened, and I put the events out of my mind.

9. The arrests were dismissed because I did not commit any criminal act.

10. During the application process, I informed the investigator of the prior arrests and explained that the charges were dismissed and sealed because I had not committed any crime.

11. I would have no reason to knowingly mislead the License Division during the application process because I have no state or federal disqualifiers to the possession of firearms.

12. Because of the challenged regulations – New York City Administrative Code 10-303(2) and (9); 38 RCNY 5-10 (a), (e), (h), and (n); 38 RCNY 3-03 (a), (e), (h), and (n); and NYC Admin. Code 10-310 - my right to possess handguns, rifles, and shotguns has been terminated.

13. I have committed no act that justifies New York City's termination of my right to possess firearms for self-defense, as protected by the Second Amendment.

14. I am suffering and continue to suffer irreparable harm by the ongoing deprivation of my guaranteed individual right to possess firearms for self-defense.

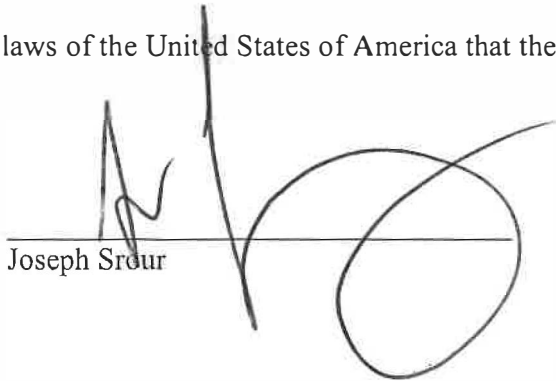
15. "Good cause" and "moral character" are also based on opinion. There should be no subjective factors in the firearms licensing process. I have been completely barred by New York City from possessing any firearms based on discretionary reasons.

16. I also should not have been denied the right to possess firearms to protect myself because of my driving history. No other constitutional right is stripped away over traffic infractions.

17. Based on New York City's continuing violation of my right to possess firearms for self-defense, I request that that this Court issue judgment in my favor and that the challenged regulations be declared unconstitutional and permanently enjoined.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 9, 2022

  
Joseph Srour